

Immigrant Survivors of Human Trafficking and Other Serious Crimes

According to Florida legislative staff, the federal Victims of Trafficking and Violence Protection Act of 2000 enables immigrant victims of human trafficking to get certain federal benefits once their status in the U.S. is determined.

Florida Chapter 2007-162 directs the state department of children and family services to establish a state-funded benefit program for immigrant victims of human trafficking, domestic violence and other serious crimes while their eligibility for federal benefits under the aforementioned federal Act is being determined.

The Florida Act:

- applies to “immigrant victims of human trafficking, domestic violence and other serious crimes” who have filed or are preparing to file specified federal applications;
- states that victims of human trafficking, domestic violence and other serious crimes are eligible for state funded benefits to the same extent as people who are admitted to the United States as refugees under specified circumstances;
- provides a list of documents that in addition to a sworn statement, suffices as evidence that an applicant has been a victim of human trafficking; and
- permits the state department of children and family services to develop a public awareness campaign about the program.

Submitted as:

Florida

[Chapter 2007-162](#)

Status: Enacted into law in 2007.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be entitled “An Act to Provide State Services
2 Relating to Immigrant Survivors of Human Trafficking and Other Serious Crimes.”

3
4 Section 2. [*Services to Immigrant Survivors of Serious Crimes.*] The [Department of
5 Children and Family Services] shall:

6 (1) Provide services to immigrant survivors of human trafficking, domestic violence, and
7 other serious crimes, during the interim period between the time the survivor applies for a visa
8 and receives such visa from the United States Department of Homeland Security or receives
9 certification from the United States Department of Health and Human Services;

10 (2) Ensure that immigrant survivors of serious crimes are eligible to receive existing state
11 and local benefits and services to the same extent that refugees receive those benefits and services;

12 (3) Ensure that immigrant survivors of serious crimes have access to state-funded services
13 that are equivalent to the federal programs that provide cash, medical services, and social service
14 for refugees;

15 (4) Provide survivors of serious crimes with medical care, mental health care, and basic
16 assistance in order to help them secure housing, food, and supportive services;

17 (5) Create a state-funded component of the cash, medical, and social services programs for
18 refugees for the purpose of serving immigrant survivors during the temporary period while they
19 wait for federal processing to be completed;

20 (6) Provide that a sworn statement by a survivor is sufficient evidence for the purposes of
21 determining eligibility if that statement is supported by at least one item of additional evidence,
22 including, but not limited to:

23 (a) police and court records;

24 (b) news articles;

25 (c) documentation from a professional agency;

26 (d) physical evidence; or

27 (e) a statement from an individual having knowledge of the circumstances providing
28 the basis for the claim; and

29 (7) Develop a public-awareness program for employers and other organizations that may
30 come into contact with immigrant survivors of human trafficking in order to provide education
31 and raise awareness of the problem.

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33 Section 3. [*Severability.*] [Insert severability clause.]

34
35 Section 4. [*Repealer.*] [Insert repealer clause.]

36
37 Section 5. [*Effective Date.*] [Insert effective date.]